



**PATENT**

Attorney Docket No.: 34370/US/4

Attorney File No.: 454892-00043

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

SEMPLE *et al.*

Serial No. 10/658,947

Filing Date: September 9, 2003

For: *High Efficiency Encapsulation of  
Charged Therapeutic Agents in Lipid  
Vesicles*

Examiner: NAFF, David M.

Art Unit: 1651

"EXPRESS MAIL" LABEL NO.:  
EV 695994080 US

DATED: MAY 8, 2006

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO/SB/8A. In accordance with 1287 Off. Gaz. Pat. Office 163 (October 19, 2004), no copies of U.S. patents and U.S. published applications are enclosed. Copies of all other cited references are enclosed.

Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

As far as is known to the undersigned, this Information Disclosure Statement is being filed within

three months of the filing date of a national application, within three months of the date of entry of the

05/10/2006 FFANAEIA 00000096 10658947

02 FC:1806

180.00 0P

4831-3080-1152\1

Serial No. 10/658,947

Filing Date: September 9, 2003

national state in an international application, or before the mailing date of a first Office Action on the merits as set forth in 37 C.F.R. § 1.97(b), and therefore no fee is required.

While no further fee is believed to be due, if this belief is in error, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 454892-00043; Our Docket No. 34370/US/4).

Respectfully submitted,  
DORSEY & WHITNEY LLP

Dated: \_\_\_\_\_

5/8/06

Customer Number: 32940

Dorsey & Whitney LLP

Intellectual Property Department

555 California Street, Suite 1000

San Francisco, CA 941041-513

Telephone: (415) 781-1989

Facsimile: (415) 398-3249

By: \_\_\_\_\_

Todd A. Lorenz, Reg. No. 39,754

*Filed Under 37 C.F.R. § 1.34*

Attachments : Form PTO/SB/8A, Substitute for form 1449  
Copies of three (3) cited references  
\$180.00



<b>Substitute for form 1449A/PTO (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>		
				Application Number	10/658,947	
				Filing Date	September 9, 2003	
				First Named Inventor	SEMPLE, Sean C.	
				Art Unit	1651	
Examiner Name	NAFF, David M.					
Attorney Docket Number	34370/US/4 (454892-00043)					
Sheet	1	of	1			

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	US-6,296,870 B1	10-02-2001	Needham et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	B1					

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	C1	AGRAWAL, S., "Antisense oligonucleotides: towards clinical trials," <i>Trends Biotechnol.</i> 14(10):376-387 (Oct. 1996).	
	C2	BAILEY, A., et al., "Modulation of membrane fusion by asymmetric transbilayer distributions of amino acids," <i>Biochemistry</i> 33(42):12573-12580 (Oct. 1994).	
	C3	BASÁÑEZ, G., et al., "Diacylglycerol and the promotion of lamellar-hexagonal and lamellar-isotropic phase transitions in lipids: implications for membrane fusion," <i>Biophys. J.</i> 70(5):2299-2306 (May 1996).	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: † These references were previously cited in a related application relied upon for an earlier filing date under 35 USC 120 and no copies are submitted in accordance with 37 CFR 1.98(d). Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and selection option 2